

(b) If you do not respond to the request or other official correspondence, the Commission may dismiss your application without prejudice and you may file again with a completed application.

(c) You can submit additional information on paper or electronically via e-mail.

[69 FR 29902, May 26, 2004]

§ 63.52 Copies required; fees; and filing periods for domestic authorizations.

(a) Unless otherwise specified the Commission shall be furnished with an original and 5 copies of applications filed under section 214 of the Communications Act of 1934, as amended; Provided, however, that where applications involve only the supplementation of existing domestic facilities, and the issuance of a certificate is not required, an original and 2 copies of the application shall be furnished. Upon request by the Commission additional copies of the application shall be furnished. Each application shall be accompanied by the fee prescribed in subpart G of part 1 of this chapter.

(b) No application accepted for filing and subject to part 63 of these rules, unless provided for otherwise, shall be granted by the Commission earlier than 30 days following issuance of public notice by the Commission of the acceptance for filing of such application or any major amendment unless said public notice specifies another time period.

(c) Any interested party may file a petition to deny an application within the 30-day or other time period specified in paragraph (b) of this section. The petitioner shall serve a copy of such petition on the applicant no later than the date of filing thereof with the Commission. The petition shall contain specific allegations of fact sufficient to show that the petitioner is a party in interest and that a grant of the application would be *prima facie* inconsistent with the public interest, convenience and necessity. Such allegations of fact shall, except for those of which official notice may be taken, be supported by affidavit of a person or persons with personal knowledge thereof. The applicant may file an opposi-

tion to any petition to deny, and the petitioners may file a reply to such opposition (see § 1.45 of this chapter), and allegations of facts or denials thereof shall similarly be supported by affidavit. These responsive pleadings shall be served on the applicant or petitioners, as appropriate, and other parties to the proceeding.

(Sec. 303, 48 Stat. 1082, as amended; 47 U.S.C. 303)

[41 FR 20662, May 20, 1976; 41 FR 22274, June 2, 1976, as amended at 42 FR 36459, July 15, 1977; 61 FR 10476, Mar. 14, 1996; 61 FR 59201, Nov. 21, 1996; 64 FR 39939, July 23, 1999]

§ 63.53 Form.

(a)(1) Applications for international service under Section 214 of the Communications Act may be filed electronically on the Internet through the International Bureau Filing System (IBFS). For applications filed through IBFS, you are not required to send the original or any copies with your fee payment. For information on filing your application through IBFS, see part 1, subpart Y of this chapter, and the IBFS homepage at <http://www.fcc.gov/ibfs>.

(2) Applications under section 214 of the Communications Act that are not filed through IBFS shall be submitted on paper not more than 21.6 cm (8.5 in) wide and not more than 35.6 cm (14 in) long with a left-hand margin of 4 cm (1.5 in). This requirement shall not apply to original documents, or admissible copies thereof, offered as exhibits or to specifically prepared exhibits. The impression shall be on one side of the paper only and shall be double-spaced, except that long quotations shall be single-spaced and indented. All papers, except charts and maps, shall be typewritten or prepared by mechanical processing methods, other than letter press, or printed. The foregoing shall not apply to official publications. All copies must be clearly legible.

(b) Applications under Section 214 of the Communications Act shall be submitted on paper not more than 21.6 cm (8.5 in) wide and not more than 35.6 cm (14 in) long with a left-hand margin of 4 cm (1.5 in). This requirement shall not apply to original documents, or admissible copies thereof, offered as exhibits or to specially prepared exhibits.

The impression shall be on one side of the paper only and shall be double-spaced, except that long quotations shall be single-spaced and indented. All papers, except charts and maps, shall be typewritten or prepared by mechanical processing methods, other than letter press, or printed. The foregoing shall not apply to official publications. All copies must be clearly legible.

(c) Applications submitted under Section 214 of the Communications Act for international services and any related pleadings that are in a foreign language shall be accompanied by a certified translation in English.

[61 FR 15733, Apr. 9, 1996, as amended at 67 FR 45392, July 9, 2002; 69 FR 29902, May 26, 2004]

DISCONTINUANCE, REDUCTION, OUTAGE
AND IMPAIRMENT

§ 63.60 Definitions.

For the purposes of this part, the following definitions shall apply:

(a) *Discontinuance, reduction, or impairment of service* includes, but is not limited to the following:

(1) The closure by a carrier of a telephone exchange rendering interstate or foreign telephone toll service, a public toll station serving a community or part of a community, or a public coast station as defined in § 80.5 of this chapter;

(2) The reduction in hours of service by a carrier at a telephone exchange rendering interstate or foreign telephone toll service, at any public toll station (except at a toll station at which the availability of service to the public during any specific hours is subject to the control of the agent or other persons controlling the premises on which such office or toll station is located and is not subject to the control of such carrier), or at a public coast station; the term *reduction in hours of service* does not include a shift in hours which does not result in any reduction in the number of hours of service.

(3) [Reserved]

(4) The dismantling or removal from service of any trunk line by a carrier which has the effect of impairing the adequacy or quality of service rendered

to any community or part of a community;

(5) The severance by a carrier of physical connection with another carrier (including connecting carriers as defined in section 3(u) of the Communications Act of 1934, as amended) or the termination or suspension of the interchange of traffic with such other carrier;

(b) *Emergency discontinuance, reduction, or impairment of service* means any discontinuance, reduction, or impairment of the service of a carrier occasioned by conditions beyond the control of such carrier where the original service is not restored or comparable service is not established within a reasonable time. For the purpose of this part, a reasonable time shall be deemed to be a period not in excess of the following: 10 days in the case of discontinuance, reduction, or impairment of service at telegraph offices operated directly by the carrier; 15 days in the case of jointly-operated or agency telegraph offices; 10 days in the case of public coast stations; and 60 days in all other cases;

(c) *Public toll station* means a public telephone station, located in a community, through which a carrier provides service to the public, and which is connected directly to a toll line operated by such carrier.

(d) *You*. In this section, “You” refers to applicants and licensees.

[28 FR 13229, Dec. 5, 1963, as amended at 45 FR 6585, Jan. 29, 1980; 51 FR 31305, Sept. 2, 1986; 69 FR 29902, May 26, 2004]

§ 63.61 Applicability.

Any carrier subject to the provisions of section 214 of the Communications Act of 1934, as amended, except any non-dominant carrier as this term is defined in § 61.3(u) of this chapter, proposing to discontinue, reduce, or impair interstate or foreign telephone or telegraph service to a community, or a part of a community, shall request authority therefor by formal application or informal request as specified in the pertinent sections of this part: *Provided, however*, That where service is expanded on an experimental basis for a temporary period of not more than 6 months, no application shall be required to reduce service to its status